

**STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

NOTICE OF OPPORTUNITY FOR PUBLIC COMMENT
ON A FEDERAL PREVENTION OF SIGNIFICANT DETERIORATION (PSD) OF
AIR QUALITY AND STATE PRECONSTRUCTION PERMIT (PCP)
FOR
WHEELABRATOR GLOUCESTER COMPANY, LP
A RESOURCE RECOVERY FACILITY

LOCATED IN
WESTVILLE (GLOUCESTER COUNTY), NEW JERSEY

Take notice that the New Jersey Department of Environmental Protection (the Department), Air Quality Permitting PROGRAM (AQPP), will accept public comments on a proposal to remove a permit condition from the current Federal Prevention of Significant Deterioration Permit of air quality and air pollution control Preconstruction Permits.

NAME AND LOCATION OF THE APPLICANT

Wheelabrator Gloucester Company, LP
P. O. Box 129
Westville, New Jersey, 08093

LOCATION OF THE FACILITY

Wheelabrator Gloucester Company, LP
600 US Route 130
Westville, New Jersey, 08093

FACILITY DESCRIPTION

Wheelabrator Gloucester Company, L. P. (WGC) is proposing modification to its current Federal Prevention of Significant Deterioration (PSD) permit, and Preconstruction Permit to remove the less stringent Carbon Monoxide emission limits in the current air permit. The current permit is for the two existing 287.5 tons per day municipal solid waste combustors (MWC) at its Resource Recovery Facility located in the City of Westville, Gloucester County, NJ. The facility consists of two 287.5 tons per day municipal solid waste incinerators, also called combustors, one lime storage silo, and ash handling area. Air pollution control equipment for each of the MWC consists of dry scrubber (Spray Dryer Absorber), activated carbon injection system, fabric filtration system and Selective Non Catalytic Reduction System (SNCR).

DESCRIPTION OF MODIFICATIONS

The current air permit for WGC contains two separate emission limits for Carbon Monoxide (CO). These are the CO emission limit of 400 ppm_{dv} @ 7% O₂ that is based on one-hour average compliance, and the emission limit of 100 ppm_{dv} @ 7% O₂ that is based on rolling four-hour average compliance. The current permit also requires a mass emission rate for carbon monoxide of 45.5 lb/hr, based on any 1-hour period. WGC wishes to remove the 400 ppm_{dv} @ 7% O₂ and the 45.5 lb/hr mass emission limit and add the more stringent mass emission limit of 11.3 lb/hr. The new limit of 11.3 lb/hr is consistent with the federal limit of 100 ppm_{dv} @ 7% O₂ specified by 40CFR62 Subpart FFF. This change will not result in any increase of CO emissions.

The following changes will be made to the current combined PSD/PCP air permit of Wheelabrator Gloucester Company:

1. Remove the CO emission limit of 400 ppm_{dv} that was based on one-hour average compliance limit.
2. Remove the mass emission rate for carbon monoxide of 45.5 lb/hr.
3. Add a mass emission rate for carbon monoxide of 11.3 lb/hr corresponding to 100 ppm_{dv} @ 7% O₂.

PURPOSE OF THIS NOTICE:

The Department is issuing a Preliminary Determination of Approvability and is issuing a draft air pollution control permit ("the draft permit") for the facility: a combined Federal Prevention of Significant Deterioration (PSD) Permit of air quality and the state Preconstruction Permit to authorize continued operation of the facility. The purpose of this notice is to inform the public of the Department's action, and of the opportunity for public comment concerning the proposed change and the draft permit.

OPPORTUNITY FOR COMMENTS

The Department will accept public comments in writing on the proposed modifications only, until June 2, 2003. Please submit your comments to Mr. Yogesh Doshi, Bureau of Preconstruction Permits, Air Quality Permitting Program, New Jersey Department of Environmental Protection, Post Office Box 027, Trenton, New Jersey 08625-0027. The conditions of the draft permit and a Fact Sheet, providing details on the proposed project, may be obtained by calling Ms Edivia Molina at (609) 633-2931, between the hours of 9:00 AM and 4:00 PM on workdays. A copy of the application by Wheelabrator Gloucester Company, LP and copies of the draft permit are available for public review during normal working hours, at the office of the Mayor of West Deptford Township, Grove Road, Thorofare, Gloucester County, New Jersey 08086.

Any request for a public hearing shall state the nature of the proposed issues to be raised in the hearing. A public hearing will be conducted if the Department determines there is a significant degree of public interest. If a public hearing is held, the public comment period is automatically extended through the close of public hearings.

RESPONSE TO COMMENTS

The proposed draft permit is for air pollution control purposes only. The proposed change in the CO emissions is the only issue that is subject to this public comment. At the close of the public comment period, the Department will review all comments received, issue a response to relevant issues raised, and make a final decision on issuing the permit. All parties commenting will be notified, in writing, of the final permit decision.

DEPARTMENT DETERMINATIONS

Compliance with Regulations

The Department has determined that even after the removal of CO emission limits of 400 ppm_{dv} and 45.5 lb/hr, and addition of CO emission rate of 11.3 lb/hr, the project will meet all applicable requirements of the PSD regulations codified at 40 CFR 52.21, federal New Source Performance Standards (NSPS) codified at 40 CFR 60, Subpart Cb, and 40 CFR 62 Subpart FFF, and the New Jersey Air Pollution Control Regulations, codified in N.J.A.C. 7:27-1 et seq.

OPPORTUNITY FOR ADMINISTRATIVE REVIEW -PSD PERMIT COMPONENT

The PSD regulations, specifically 40 CFR 52.21(q), provide for administrative review of the final PSD permit decision within 30 calendar days after the date of issuance of the final permit. The procedural requirements for administrative review are defined in the Consolidated Permits Regulations codified at 40 CFR, part 124 (45 FR 33405). Request for administrative review of a final PSD permit decision should be made to the Administrator of the United States Environmental Protection Agency, 401 M Street, Southwest, Washington, DC 20460.

The comment period will be closed 30 calendar days after the publication of the notice. All persons, including the applicant, who believes any relevant condition of the draft permit under current revision is inappropriate must raise all reasonable issues of concern and submit all arguments and factual grounds, or materials supporting their position, during the public comment period.

Administrative review is available only to those persons who commented during the comment period and is restricted to issues raised during the comment period with the exception that any person, including those who failed to file comments or failed to participate in the public comment period on the preliminary permit determination, may petition for administrative review of the changes from the draft PSD permit to the final PSD permit.

Upon the issuance by the Department of the final permit decision, or in the case of the administrative review process, the final PSD permit decision will be a final U.S. Environmental Protection Agency action and will be published in the Federal Register. This final action may be challenged only by filing a petition for review in the United States Court of Appeals for the appropriate circuit within 60 calendar days of the date of the Federal Register notice. The final PSD permit shall not be subject to later judicial review in enforcement proceedings. Opportunity for judicial review is only provided at the completion of the administrative appeal process and is provided only to those persons who were parties in an administrative appeal.

Approved by:

Lou Mikolajczyk, Chief
Bureau of Preconstruction Permits
Air Quality Permitting Program

DATE: April 16, 2003